

United States v. Don Eugene Siegelman  
and Richard M. Scrushy  
2:05cr119-MEF  
**EXHIBIT 3**



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The Auburn Villager

Thursday, July 13, 2006

## 'Sell out' continued from page 1

Judge we're here, but the other 11 disagree," he said. "I wrote the judge a second letter saying that we had gone through all the cases and all the evidence and were unable to reach even a partial verdict at this time so were awaiting his instructions."

The judge called the jury into the courtroom and reminded them it was not unusual to take some time because of the complexity of the case. Some commentators have described the judge's instructions as an "Allen charge," when jurors are told to try to make a decision.

"I'm thinking, 'This is gonna get me crucified,'" he said. "I did not accuse anybody of sleeping; I learned enough about evidence that I wasn't going to accuse anybody of anything that I couldn't prove, especially to a federal judge."

Jurors weren't angry with Fuller and when questioned by Fuller agreed the situation of some was lagging. In fact, the incident proved a turning point in deliberations.

"I'm already nervous as a cat about to hit bottom, knowing all those people are going to be called back to the

decide if further deliberation was possible," he said. They were also told they could select a new foreman.

Jurors supported [redacted] as foreman, but remained deadlocked after two votes. [redacted] was ready to go back to Fuller, but the other 11 jurors disagreed. They said they owed the defendants a verdict and would continue to deliberate. That's when the logjam broke.

Throughout deliberations, those jurors who had a wide allowance for reasonable doubt chided those who took a hard line as being out-of-touch with the "real world."

[redacted] said. When one of the jurors who had been dubbed a "princester" admitted some reasonable doubt, the jurors started moving closer together. One by one, people started putting their names on the list saying, "Yes, I can live with that," [redacted] said.

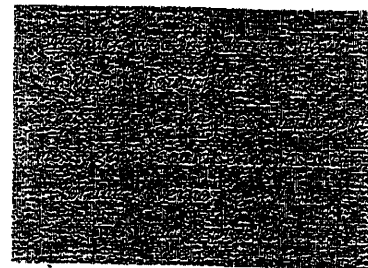
"We were paying attention and we were going to get this right," he said. "We narrowed the charges down to what I thought was the most serious offense of everything heard. I believe the most important message we could



Richard Scrushy

simple question. Did the governor sell that seat and did Scrushy buy that seat? I think he did, based on the evidence. Scrushy was a Fob James supporter who was going nowhere in the Singelman administration. He gave money to Singelman, and it all changed. If Scrushy had stayed out as a Singelman supporter I might have believed different, but there was too much direct and circumstantial evidence of a quid pro quo. The evidence we had all added up to a guilty vote."

[redacted] said that as jury



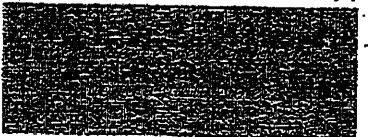
"He gave us a little pep talk, which was so mildly worded that we didn't think it was an 'Allen charge,'" [redacted] said. "He was always gentle, kind, encouraging, grateful and approving. As if we could walk away!"

Three days later, jurors were no closer to a decision although by that time they knew the charges by heart. Two more days passed, and some of the jurors who had worked so hard for so long seemed to be losing interest.

[redacted] conveyed his concerns unofficially to a marshal, who went to the judge without [redacted] knowledge.

courthouse, [redacted] said. "But the judge looks up and smiles, then acknowledges that we've been through a lot and are weary."

Fuller said he would give jurors additional instructions the next morning. When they arrived, according to [redacted] Fuller advised them to honestly assess the wisdom of continuing to deliberate. Jurors were told it was their duty to reach a verdict if they could and it was the duty of every juror to participate, but they had done their job if they had paid sufficient attention to the evidence and made up their minds. They were instructed to



send was that for a governor to sell out is completely unacceptable."

When they reached a verdict, jurors gave themselves a round of applause.

"You know, we don't have anything against these folks," [redacted] said. "The decision was based on evidence. For me, it came down to one

fact: he probably got more credit and more blame than he deserved, because his main role was to make sure everyone got a chance to be heard. Now he's off to Hawaii for a long-awaited vacation with his family."

"I still can't believe I was part of it," he said. "This is history."

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## Local healing therapist receives international recognition

Dr. Ernest Peacock, D.C., of Auburn, was presented with a commendation award in San Antonio, Texas at the International Concept-Therapy conference, on Saturday, July 8, for his educational contributions and community service in several different areas of Zone Therapy.

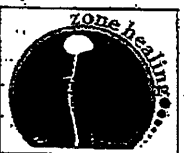
"I was very happy," said Dr. Peacock. "I knew that I'd be attending the convention, but I didn't know they would be giving me the award."

Dr. Peacock is certified by the Concept-Therapy Institute and practices Zone Ther-

apy out of the Zone Healing Center at Art of Chiropractic, located at 541 E. Glenn Ave. He is an authorized instructor and has taught his techniques to various doctors in several states. He has also taught and participated in numerous weekend seminars designed to teach principles of health and healing.

Zone Therapy is a drugless, non-surgical method of promoting the healing process by accessing specific areas of the spinal cord, that in turn, stimulate related neurological centers in the brain. And Dr.

Peacock sees it as the most effective way to retrain the body's nervous system, which helps the healing processes.



Dr. Ernest Peacock, Art of Chiropractic's Zone Healing Center

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